

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action of April 13, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-6, 9, 10, 12-20 and 23-38 are pending in the Application. Claims 1, 15 and 28 are independent claims.

In the Office Action, claims 33-38 are objected to and are rejected under 35 U.S.C. §112, first paragraph. This rejection is respectfully traversed. However, in the interest of expediting consideration and allowance of the pending claims, the Applicants have elected to amend the claims to render this rejection of the claims moot. Accordingly, it is respectfully submitted that claims 33-38 are in proper form and it is respectfully requested that this objection and rejection under 35 U.S.C. §112, first paragraph, be withdrawn.

In the Office Action, claims 1-3, 10, 15-17, 24 and 26 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2008/0066129 to Katcher ("Katcher") in view of U.S. Patent No. 6,195,497 to Nagasaki ("Nagasaki"). Claims 4, 5, 9, 12, 13, 18, 19, 23 and 26 are rejected under 35 U.S.C. §103(a) over Katcher in view of Nagasaki, in view of U.S. Patent Publication No. 2002/0120935 to Huber ("Huber"). Claims 6 and 20 are rejected under 35 U.S.C. §103(a) over Katcher in view of Nagasaki in further view of U.S. Patent No. 6,553,347 to Tavor ("Tavor"). Claims 28 and 29 are rejected under 35 U.S.C. §103(a) over Katcher in view of Huber, Nagasaki and Tavor. Claims 30 and 31 are rejected under 35 U.S.C. §103(a) over Katcher in view of Nagasaki in further view of U.S. Patent Publication No. 2003/0130983 to Rebane ("Rebane"). Claim 32 is rejected under 35

U.S.C. §103(a) over Katcher in view of Huber, Nagasaka and Tavor in further view of Rebane. Claims 33-36 are rejected under 35 U.S.C. §103(a) over Katcher in view of Nagasaka in further view of U.S. Patent Publication No. 2002/0056109 to Tomsen ("Tomsen").

The rejections of claims 1-6, 9, 10, 12-20 and 23-38 is respectfully traversed. It is respectfully submitted that the claims are allowable over Katcher in view of Nagasaka alone, and in any combination with Huber, Tavor, Rebane and Tomsen for at least the following reasons.

The Office Action relies on Katcher paragraph [0089] and the abstract for showing a frame including a first region containing products that "are selectable" and a second region containing products that are not selectable in the frame where the selection is made (see, Office Action, pages 5-6). It is respectfully submitted that reliance on Katcher for showing this feature of the claim recitations is misplaced.

While Katcher in paragraph [0089] states that the program may contain items that are highlighted, it is respectfully submitted that Katcher does not teach, disclose or suggest that the product that is selected is a product that does not have enhanced content information in the frame where the product is selected.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Katcher in view of Nagasaka alone, or in any combination with Huber, Tavor, Rebane and Tomsen. For example, Katcher in view of Nagasaka, or in any combination with Huber, Tavor, Rebane and Tomsen does teach, disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis provided)

"receiving a selection of a product of interest during a first frame of the plurality of frames;
performing, by the video device, a search to identify data related to the selected product,
the first frame of the plurality of frames being subdivided into a first region containing
products that include enhanced content information and a second region containing
products that do not include enhanced content information, wherein the selection is of a
product that is in the second region in the first frame of the plurality of frames when the
selection is performed, wherein the act of performing the search comprises an act of
searching the plurality of frames for a second frame where the selected product includes
enhanced content information; and providing the enhanced content information of the
selected product to a user of the video device" as recited in claim 1, and as substantially
recited in each of claims 15 and 28. Huber, Tavor, Rebane and Tomsen are cited for
allegedly showing other features of the claims yet in any event, do not cure the deficiencies
in Katcher in view of Nagasaka.

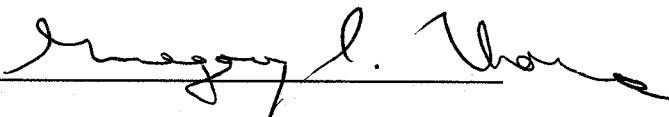
Based on the foregoing, the Applicants respectfully submit that independent claims
1, 15, and 28 are patentable and notice to this effect is earnestly solicited. Claims 2-6, 9-
14, 16-20 and 23-38 respectively depend from one of claims 1, 15 and 28 and accordingly
are allowable for at least this reason as well as for the separately patentable elements
contained in each of said claims. Accordingly, separate consideration of each of the
dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner
that is not specifically addressed by the foregoing argument and response. Any rejections
and/or points of argument not addressed would appear to be moot in view of the presented

remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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